

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Joanne M. Comerford

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act prohibiting the use of Native American mascots by public schools in the Commonwealth.

PETITION OF:

NAME:

Joanne M. Comerford

DISTRICT/ADDRESS:

Hampshire, Franklin and Worcester

SENATE No.

[Pin Slip]

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 245 OF 2023-2024.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act prohibiting the use of Native American mascots by public schools in the Commonwealth.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. (a) For purposes of this section, the word “commission” shall mean the
2 commission on Indian Affairs.

3 Notwithstanding any general or special law to the contrary, the department of elementary
4 and secondary education shall create and submit to the commission a list of all schools in the
5 commonwealth and their athletic team names, logos and mascots. Within 3 months of receiving
6 the list, the commission shall identify schools with athletic team names, logos and mascots that
7 refer to, represent, or are associated with Native Americans, including aspects of Native
8 American cultures and Native American tribes.

9 (b) The commission shall provide the list of the schools identified by the commission
10 under subsection (a) to the department and shall publish the list on its website.

11 (c) Schools that are included in the list identified by the commission under subsection (a)
12 shall not purchase or refurbish any uniforms or other materials, including banners, signs,
13 scoreboards, displays or other materials bearing the athletic team name, logo or mascot until the
14 school reaches an agreement with the department pursuant to subsection (e).

15 (d) Not later than 1 year after the publication of the list under subsection (b), the
16 commission shall review general issues regarding Native American team names, logos and
17 mascots used in the Commonwealth, and specific concerns with individual schools included on
18 the list identified by the commission. Based on its review, the commission shall submit
19 recommendations to the department on: (i) policies to phase out or ban mascots that name, refer
20 to, represent or are associated with Native Americans, including aspects of Native American
21 cultures and specific Native American tribes; (ii) any specific schools and their team names,
22 logos or mascots; and (iii) ways to increase respect and knowledge of Native American heritage
23 and cultures in schools and across the commonwealth. The department shall also receive
24 comments directly from tribal nation representatives designated by the commission or
25 recognized by the United States.

26 (e) Not more than 3 months following the receipt of recommendations from the
27 commission pursuant to subsection (d), the department shall develop a memorandum of
28 understanding with each school identified on the list prepared under subsection (a); provided,
29 however, that the department shall utilize the information provided by the commission in its
30 recommendations under subsection (d) during the negotiation; and provided further, that the
31 commission shall solicit comments from tribal nation representatives designated by the
32 commission or recognized by the United States. Not later than 6 months following the beginning
33 of negotiations, each identified school shall enter into a memorandum of understanding with the

34 department concerning the school's use of their athletic team name, logo or mascot. An
35 agreement shall include an implementation timeline not to exceed 3 years for full
36 implementation.

37 (f) Schools subject to subsection (e) that fail to enter into an agreement or fail to comply
38 with the memorandum of understanding shall not be eligible for discretionary state education
39 grants.

40 (g) Notwithstanding the provisions of this act, a school may at any time inform the
41 department of its plan to stop or phase out the use of school athletic team names, logos or
42 mascots which name, refer to, represent or are associated with Native Americans, including
43 aspects of Native American cultures and Native American tribes.

44 (h) No public school may adopt a new athletic team name, logo or mascot which names,
45 refers to, represents or is associated with Native Americans, including aspects of Native
46 American cultures and Native American tribes, including, but not limited to, tribes that are
47 recognized by the United States or the Commonwealth.

48 (i) The department may promulgate regulations to implement this section.

49 SECTION 2. The list required under subsection (a) of section 1 shall be completed no
50 later than 3 months after the effective date of this act.

51 SECTION 3. Subsection (h) of section 1 shall be effective upon the passage of this act.